

**Jerome M. Capone**

Attorney-At-Law

1823 West 16<sup>th</sup> Street  
Wilmington, Delaware 19806

at the corner of 16<sup>th</sup> & Lincoln Sts.

Phone (302) 654-3260  
Fax (302) 654-4281  
jerrycapone@comcast.net  
www.jerrycapone.com

September 18, 2007

The Honorable Gregory M. Sleet  
United States District Court  
844 North King Street  
Lock Box 19  
Wilmington, DE 19801

**Re: United States v. Michael Pingatore/ Case No. 07-101 GMS**

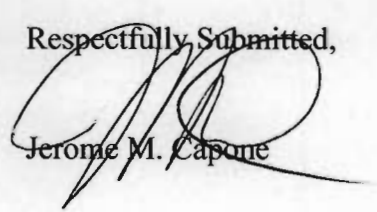
Dear Judge Sleet:

On July 23, 2007, Defendant Michael Pingatore entered a plea in the above captioned case. Currently his sentencing date is set for October 22, 2007 at 2:00 p.m. I am writing to request a continuance for the following reason.

During this time of presentence preparation, Mr. Pingatore has been seen by Dr. Pedro Ferreira, a psychologist. The expectation had been that Dr. Ferreira would submit a report as to his findings to me, Robert Kravitz, Esq. and Marty Durkin, the presentence officer by September 17, 2007. It has come to my attention that Dr. Ferreira will be unable to meet that deadline. Therefore I feel it is necessary to request a continuance of the sentencing date in order provide all parties ample time to review the report. In addition, I am requesting that the sentencing be rescheduled for sometime after November 10, 2007 because Mr. Pingatore's son will be getting married that day. I have contacted the prosecutor, Robert Kravitz, Esq., and he would like to contact the victim in this matter before stating his position on this request.

If I can provide any further information to the Court, please contact me.

Respectfully Submitted,

  
Jerome M. Capone

JMC/kb  
cc: Robert Kravitz, Esq.  
Martin Durkin

